

JRW

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

WEN-HSIANG YUEH

SERIAL NO.: 10/816,813

FILED: April 5, 2004

FOR: MP3 PLAYER HAVING A WIRELESS EARPHONE  
COMMUNICATION WITH A MOBILE

GROUP ART UNIT: 2615

EXAMINER: Walter F. Briney III

ATTY. REFERENCE: YUEH3010/BEU

COMMISSIONER OF PATENTS

Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a communication/amendment in the above-identified application.

- Small entity status under 37 CFR 1.9 and 1.27 is claimed.  
 No additional fee is required.

The fee, if any, has been calculated as shown below:

Fee Basis	Number of Claims After Amendment	Highest Number Previously Paid For	Extra Claims	Small Entity	Full Fee
Total Claims	-	<sup>1</sup>	= <sup>3</sup>	$\times \$25 =$	$\times \$50 =$
Independent Claims	-	<sup>2</sup>	= <sup>3</sup>	$\times \$100 =$	$\times \$200 =$
<input type="checkbox"/> First Presentation of Proper Multiple Dependent Claim				$+ \$180 =$	$+ \$360 =$
<b>TOTAL</b>					

<sup>1</sup> If less than 20 enter 20.

<sup>2</sup> If less than 3 enter 3.

<sup>3</sup> If less than 0 enter 0.

- Please charge my Deposit Account Number 02-0200 in the amount of \$\_\_\_\_\_ . A duplicate copy of this sheet is attached.
- A check in the amount of \$\_\_\_\_\_ is attached.
- The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to Deposit Account Number 02-0200. A duplicate copy of this sheet is attached.
- Also enclosed is/are:

23364

Customer Number  
Phone: (703) 683-0500

DATE: August 23, 2007

Respectfully submitted,



John Schaefer  
Attorney for Applicant  
Registration Number: 47,921



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wen-Hsiang YUEH Confirmation No: 2602

Appl. No.: 10/816,813

Filed: April 5, 2004

Title: MP3 Player Having a Wireless Earphone Communication  
With a Module

TC/A.U. 2615

Examiner Walter F. BRINEY III

Docket No.: YUEH3010/BEU

Customer No: 23364

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

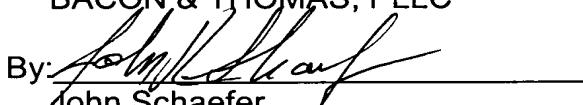
Sir:

This is in response to the Official Action of July 23, 2007, in connection with the above identified application.

The Official Action is a restriction requirement in which it is urged that there are two separate and distinct inventions claimed in this application. Applicants elect the species of Figures 3 and 4 invention which is recited in claims 1-50, without traverse. Applicants reserve the right to file one or more divisional applications on the non-elected inventions at a later time.

In view of the election of the Group I invention, without traverse, an early and favorable action on the merits is now believed to be in order and is most respectfully requested.

Respectfully submitted,  
BACON & THOMAS, PLLC

By:   
John Schaefer  
Registration No. 47,921

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August 23, 2007

Restriction Requirement.wpd